BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

MARCIA SHAW)
Claimant VS.))) Docket No. 196,743
SANTA FE TRAILS NURSING CENTER Respondent) Docket No. 190,743
AND	
FIREMAN'S FUND INSURANCE COMPANY Insurance Carrier	\}

ORDER

The respondent and insurance carrier request review of the Preliminary Hearing Order entered by Administrative Law Judge Floyd V. Palmer on March 2, 1995.

ISSUES

The Administrative Law Judge granted claimant's request for benefits. The respondent and insurance carrier request review of that order and raise the following issues:

- (1) Whether claimant met with personal injury by accident arising out of and in the course of her employment with the respondent.
- (2) Whether claimant gave timely notice of accident.

Those are the issues now before the Appeals Board.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the entire record, for purposes of preliminary hearing, the Appeals Board finds as follows:

The Appeals Board finds the Preliminary Hearing Order of the Administrative Law Judge should be affirmed. The medical evidence is uncontroverted that claimant's carpal tunnel syndrome was aggravated by the work she was performing for the respondent.

IT IS SO ORDERED.

Claimant also gave proper notice of accident as required by K.S.A. 44-520. The Appeals Board adopts the findings of the Administrative Law Judge for purposes of this review.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Preliminary Hearing Order of Administrative Law Judge Floyd V. Palmer entered in this proceeding on March 2, 1995, should be, and hereby is, affirmed.

Dated this day of Ma	ay, 1995.
	BOARD MEMBER
	BOARD MEMBER
	BOARD MEMBER

c: Jan L. Fisher, Topeka, Kansas Patrick M. Salsbury, Topeka, Kansas Floyd V. Palmer, Administrative Law Judge George Gomez, Director